REMARKS

Claims 1-37 have been canceled without prejudice or disclaimer. Claims 38-54 have been added and therefore are pending in the present application. Claims 38-54 are supported by the specification and claims as originally filed.

It is respectfully submitted that the present amendment presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the above amendments and the following remarks is requested.

I. The Rejection of Claims 13-20 under 35 U.S.C. 112

Claims 13-20 are rejected under 35 U.S.C. 112 on the basis that there is no support for method claims 13-20. Applicants respectfully submit that this rejection is rendered moot by the amendment to the claims as the present claims are directed only to compositions of matter. This amendment was done to expedite prosecution.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 112. Applicants respectfully request reconsideration and withdrawal of the rejection.

II. Objection to Claim 14

Claim 14 is objected to for the recitation "comprising step (b)" on the basis that claim 13 already requires this step. Applicants respectfully submit that this rejection is rendered moot as applied to the new claims. Applicants respectfully request reconsideration and withdrawal of the rejection.

III. The Rejection of Claims 1-3, 5-10, 13-15 and 17-20 under 35 U.S.C. 102(b) Over Mishima (JP 11-197494)

Claims 1-3, 5-10, 13-15 and 17-20 are rejected under 35 U.S.C. 102(b) Over Mishima (JP 11-197494). The Examiner contends that Applicant has not addressed the full teaching of Mishima which discloses that

> "high pressure is used for implementation of [the] coating" where the coating material is expanded quickly upon pressure release (par. 0025-0056). The suggested maximum working pressure is 41.5 MPa (par. 0033), and the maximum pressure of the exemplified is 39.2 MPa. "As for a pressure, it is desirable that it is 7.2-30 MPa [$7.2 \times 10^6 - 3.0 \times 10^7$ Pa] in order to perform rapid expansion of the supercritical fluid efficiently" (par. 0046), thus meeting the limitation of claim 19. Stepwise decompression is disclosed in order to add coating materials as well as to expand the coating materials."

As amended, the claims now recite an enzyme particle having a coating comprising a solid material and a gas phase component which is applied to a core particle.

Mishima does not teach or suggest a coated particle in which the coating comprises a gas phase component that is applied to a core particle. Rather, Mishima teaches the use of a supercritical (CO2) as a solvent for preparing the coating material. That is, the supercritical solvent is used to dissolve the coating material in preparation of microcapsules. The resulting coating layer of Mishima, which was prepared with a gas, but which does not contain a gas phase component, is then applied as a continuation layer. See Mishima at Abstract, at par 0009 to 0012 and par. 0025 to 0057, and 0061. Thus, Mishima does not teach an enzyme particle in which a coating comprising a solid coating material and a gas phase component is applied to a core particle, rather Mishima teaches the use of a gas to prepare a layer.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 102. Applicants respectfully request reconsideration and withdrawal of the rejection.

IV. The Rejection of Claims 1-3, 5-6, 8-11, 13-14, 16-17 and 19 under 35 U.S.C. 102

Claims 1-3, 5-6, 8-11, 13-14, 16-17 and 19 are rejected under 35 U.S.C. 102 over Theon et al. This rejection is respectfully traversed.

As recited in the claims, a coating comprising a solid coating material and a gas phase component applied to a core particle comprising an enzyme. As defined in the specification, a gas phase component is "understood as any gas or mixtures of gases." See the specification at page 7, lines 8-11. Theon et al. discloses a tablet comprising an effervescent agent to aid in disintegration of the tablet upon contact with water. The effervesecent agent is not a gas, but forms a gas upon contact with water. Accordingly, Theon et al. does not teach applying a gas phase component (a gas or mixture of gasses), rather Theon et al. teach using a component that forms a gas upon contact with water.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 102. Applicants respectfully request reconsideration and withdrawal of the rejection.

V. The Rejection of Claims 12 under 35 U.S.C. 103

Claim 12 is rejected under 35 U.S.C. 103 over Mishima (JP 11-197494) in view of Selenke (US Pat. 4,022,917). This rejection is respectfully traversed.

As discussed above, Mishima does not teach an enzyme particle in which a coating comprising a solid coating material and a gas phase component is applied to a core particle; rather Mishima teaches the use of a gas to prepare a layer.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 103. Applicants respectfully request reconsideration and withdrawal of the rejection.

IV. Conclusion

In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,

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